



Broadcasting Notice of Consultation CRTC 2015-136

PDF version

Ottawa, 10 April 2015

Notice of hearing

12 June 2015

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 11 May 2015

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission will hold a hearing on **12 June 2015 at 11:00 a.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. The Commission intends to consider the following applications, subject to interventions, without the appearance of the parties:

Applicant/Licensee and Locality

1. **Kosiner Venture Capital Inc.**
Across Canada
Application 2014-1329-4
2. **Bell Canada, on its behalf and on behalf of its licensed subsidiaries**
Various locations
Applications 2014-1274-1, 2014-1357-5, 2014-1358-3, 2014-1359-1,
2014-1360-9, 2014-1361-6, 2014-1362-4 and 2014-1363-2
3. **Neeti P. Ray, on behalf of a corporation to be incorporated**
Brampton, Ontario
Application 2014-0237-0
4. **Radio Humsafar Inc.**
Brampton, Ontario
Application 2014-0843-5
5. **Ravinder Singh Pannu, on behalf of a corporation to be incorporated**
Brampton, Ontario
Application 2014-1032-3
6. **Clear Sky Radio Inc.**
Sylvan Lake, Alberta
Application 2014-0015-0

7. **Golden West Broadcasting Ltd.**
Sylvan Lake, Alberta
Application 2014-1019-1

1. **Kosiner Venture Capital Inc.**
Across Canada
Application 2014-1329-4

Application by **Kosiner Venture Capital Inc.** for a broadcasting licence to operate a national pay audio programming undertaking.

The applicant states that the programming would consist of a minimum of 45 audio channels, in a wide variety of music formats.

The applicant proposes to devote 45% of its programming to content category 2 musical selections (Popular Music) derived from a variety of genres, including pop, rock, dance and easy listening. The remainder of the programming would include oldies (20%); instrumental (10%); programming directed to children (5%); and specialty music, including classical music, world beat, jazz, blues and opera (20%). In addition to English- and French-language music, programming in third languages would be offered.

Applicant's address:

550 Eglinton Avenue West
Suite 23-031
Toronto, Ontario
M5N 1B6

Email: ewk@kosinerc.com

Email to request electronic version of application: crtc@kosinerc.com

2. **Bell Canada, on its behalf and on behalf of its licensed subsidiaries**
Various locations
Applications 2014-1274-1, 2014-1357-5, 2014-1358-3, 2014-1359-1, 2014-1360-9, 2014-1361-6, 2014-1362-4 and 2014-1363-2

Application by **Bell Canada, on its behalf and on behalf of licensed subsidiaries**, for authority to effect a multi-step intra-corporate reorganization affecting the ownership of certain broadcasting distribution undertakings serving various locations in the Maritimes, Ontario and Quebec, two regional video-on-demand services and one national terrestrial pay-per-view service (approved in *Terrestrial pay-per-view service*, Broadcasting Decision CRTC 2014-569, 4 November 2014). The transaction would be effected in part through the transfer of assets.

The proposed reorganization, if approved, would be completed through a series of transactions that are set out in the applications. The Commission's prior approval, the issuance of new broadcasting licences to new entities, the amendment to certain existing licences and the surrender of certain licences, would be required.

The applicant has effected certain steps of the proposed corporate reorganization, which required the Commission's prior approval. For this reason, it appears to the Commission that the applicant may have failed to comply with section 4(4) of the *Broadcasting Distribution Regulations*, section 6(4) of the *Pay Television Regulations, 1990* and the standard conditions of licence, expectations and encouragement for VOD undertakings, as set out in the appendix to *Standard requirements for video-on-demand undertakings*, Broadcasting Regulatory Policy CRTC 2011-59, 31 January 2011.

Following the corporate reorganization, the control of the undertakings would continue to be exercised by BCE Inc.

Applicant's address:

160 Elgin Street

Floor 19

Ottawa, Ontario

K2P 2C4

Fax: 613-560-0472

Email: bell.regulatory@bell.ca

Website to view the applications:

www.bell.ca/Regulatory_CRTC_hearings/Bell_applications.tab

3. Neeti P. Ray, on behalf of a corporation to be incorporated

Brampton, Ontario

Application 2014-0237-0

Application by **Neeti P. Ray, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate an English-language commercial AM radio station in Brampton.

The proposed station would operate on frequency 1350 kHz with a daytime transmitter power of 1,000 watts and a night-time transmitter power of 55 watts (non-directional antenna).

This application is technically mutually exclusive with applications by Radio Humsafar Inc. (2014-0843-5) and by Ravinder Singh Pannu, on behalf of a corporation to be incorporated (2014-1032-3) which will also be considered at this hearing.

The applicant proposes a news talk format.

The applicant states that it would devote up to 39% of each broadcast week to third-language programming.

The applicant also states that it would accept a condition of licence requiring it to direct ethnic programming to a minimum of 10 cultural groups in a minimum of 6 different languages each broadcast week.

The present application was initially published under Part 3 of the CRTC Rules of Practice and Procedure as part of a public process. It was scheduled to be heard at a hearing held on 25 September 2014 (*Notice of Hearing*, Broadcasting Notice of Consultation CRTC 2014-383, 23 July 2014) but was withdrawn to be rescheduled at a later date. The Commission will consider the interventions and the reply already accepted and filed on the public record for the 25 September 2014 public hearing as well as other interventions and replies received in the context of this hearing.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

1515 Britannia Road East

Suite 315

Mississauga, Ontario

L4W 4K1

Fax: 905-795-9030

Email: neetiray@gmail.com

Email to request electronic version of application: neetiray@gmail.com

4. Radio Humsafar Inc.

Brampton, Ontario

Application 2014-0843-5

Application by **Radio Humsafar Inc.** for a broadcasting licence to operate an ethnic commercial AM radio station in Brampton.

The proposed station would operate on frequency 1350 kHz with a daytime transmitter power of 1,000 watts and a night-time transmitter power of 45 watts (non-directional antenna).

This application is technically mutually exclusive with applications by Neeti P. Ray, on behalf of a corporation to be incorporated (2014-0237-0) and by Ravinder Singh Pannu, on behalf of a corporation to be incorporated (2014-1032-3) which will also be considered at this hearing.

The applicant states that it would adhere to a condition of licence requiring it to direct ethnic programming to a minimum of 14 cultural groups in a minimum of 11 different languages each broadcast week.

The applicant also states that of the total programming broadcast during the broadcast week, 100% would be devoted to ethnic programming and 80% to third-language programming.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

7655 Cordner Street

Lasalle, Quebec

H8N 2X2

Fax: 514-368-0565

Email: js@radiohumsafar.com

Email to request electronic version of application: js@radiohumsafar.com

5. Ravinder Singh Pannu, on behalf of a corporation to be incorporated

Brampton, Ontario

Application 2014-1032-3

Application by **Ravinder Singh Pannu, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate an English-language commercial AM radio station in Brampton.

The proposed station would operate on frequency 1350 kHz with a daytime transmitter power of 1,000 watts and a night-time transmitter power of 38 watts (non-directional antenna).

This application is technically mutually exclusive with applications by Neeti P. Ray, on behalf of a corporation to be incorporated (2014-0237-0), and by Radio Humsafar Inc. (2014-0843-5), which will also be heard at this hearing.

The applicant proposes a news talk/world music format.

The applicant states that it would devote up to 39% of each broadcast week to third-language programming.

The applicant also states that it would adhere to a condition of licence requiring it to direct ethnic programming to a minimum of 20 cultural groups in a minimum of 9 different languages each broadcast week.

Given that the applicant proposes to broadcast 61% of its ethnic programming in the English language, the amount of third-language programming proposed falls short of the 50% minimum required to be considered an ethnic radio service.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

9400 Goreway Drive
Brampton, Ontario
L4T 4C6

Email: rspannu@ymail.com

Email to request electronic version of application: rspannu@ymail.com

6. Clear Sky Radio Inc.
Sylvan Lake, Alberta
Application 2014-0015-0

Application by **Clear Sky Radio Inc.** for a broadcasting licence to operate an English-language commercial FM radio station in Sylvan Lake.

The proposed station would operate on frequency 88.5 MHz (channel 203A) with an average effective radiated power (ERP) of 791 watts (maximum ERP of 1,500 watts with an effective height of antenna above average terrain of 150 metres).

The applicant proposes a Modern Music format comprised of Hot Adult Contemporary and Modern Rock/Alternative.

This application is technically mutually exclusive with an application by Golden West Broadcasting Ltd. (2014-1019-1), which will also be considered at this hearing.

The present application was initially published under Part 3 of the CRTC Rules of Practice and Procedure as part of a public process. This application was first scheduled to be heard at a hearing held on 12 November 2014 (*Notice of hearing*, Broadcasting Notice of Consultation CRTC 2014-472, 12 September 2014) but was withdrawn to be rescheduled at a later date. It was later scheduled to be heard at a hearing held on 8 April 2015 (*Notice of Hearing*, Broadcasting Notice of Consultation CRTC 2015-17, 23 January 2015, as amended) but was withdrawn to be rescheduled at a later date. The Commission will consider the interventions and the replies already accepted and filed on the public record for the 12 November 2014 and 8 April 2015 public hearings as well as other interventions and replies received in the context of this hearing.

Applicant's address:

220 Third Avenue South
Unit 400
Lethbridge, Alberta
T1J 0G9

Fax: 403-388-4648

Email: paul@clearskyradio.com

Email to request electronic version of application: info@clearskyradio.com

7. Golden West Broadcasting Ltd.

Sylvan Lake, Alberta
Application 2014-1019-1

Application by **Golden West Broadcasting Ltd.** for a broadcasting licence to operate an English-language commercial FM radio station in Sylvan Lake.

The proposed station would operate on frequency 88.3 MHz (channel 202B) with an average effective radiated power (ERP) of 24,000 watts (maximum ERP of 50,000 watts with an effective height of antenna above average terrain of 118.8 metres).

The applicant proposes a New Country format.

This application is technically mutually exclusive with an application by Clear Sky Radio Inc. (2014-0015-0), which will also be considered at this hearing.

The present application was initially published under Part 3 of the CRTC Rules of Practice and Procedure as part of a public process. It was scheduled to be heard at a hearing held on 8 April 2015 (*Notice of Hearing*, Broadcasting Notice of Consultation CRTC 2015-17, 23 January 2015, as amended) but was withdrawn to be rescheduled at a later date. The Commission will consider the interventions and the reply already accepted and filed on the public record for the 8 April 2015 public hearing as well as other interventions and replies received in the context of this hearing.

Applicant's address:

9 Centre Avenue
Altona, Manitoba
R0G 0B0

Fax: 204-346-5323

Email: lfriesen@goldenwestradio.com, rhildebrand@goldenwestradio.com

Email to request electronic version of application: rhildebrand@goldenwestradio.com

Procedure

Deadline for interventions, comments or answers

11 May 2015

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, replies, answers of respondents and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "Statutes and Regulations." *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin

CRTC 2010-959, 23 December 2010, provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

An intervention or an answer from a respondent must be filed with the Commission and served on the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

Interventions and answers must clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010.

The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line *****End of document***** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

In the event that an application to be considered during the non-appearing phase of the hearing is brought to an oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions or answers are not sufficient and why an appearance is necessary. Parties requiring communication support must state their request on the first page of their intervention. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the public hearing.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

Important notice

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, etc.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

Electronic versions of the applications are available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. They are also available from the applicants, either on their websites or upon request by contacting the applicants at their email addresses, provided above.

Electronic versions of the interventions and answers, as well as of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

Documents are also available from Commission offices, upon request, during normal business hours.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

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Fax: 902-426-2721

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Secretary General